REMARKS

Claims 1-6 and 8-22 are currently pending in the application. Claim 7 is canceled. Claims 1-2, 4-6, 8, 11-14 and 17 are amended. New claims 20-22 are added. The amendments and new claims find support in the specification and claims as originally filed, namely, at page 4, lines 11-18, and page 5, lines 10-13 of the specification. No new matter is added.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 4, 11 and 13 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claims the subject matter which Applicants regard as the invention.

The Office Action requires that "and/or" in claims 4 and 11 be changed to standard Markush terminology. These claims have been amended accordingly. Claim 14 also contained "and/or" and has also been amended.

The phrase "in addition to Tyr^1 glucitol GIP (1-42)" in claim 13 is rejected as unclear. This claim has been amended to clarify that in addition to a Tyr^1 glucitol GIP (1-42), the peptide analogue has at least one additional amino acid substitution or modification at position 1, 2 or 3, and also a modification by fatty acid addition at an epsilon amino group of at least one lysine residue.

Applicants respectfully submit that the amended claims are clear on their face, and request that the rejection on this basis be reconsidered and withdrawn.

Claim Rejection Under 35 U.S.C. § 102(b) in view of Fujii *et al.*

Claims 1, 8 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Fujii *et al.* (*Chem. Pharm. Bull.* 34:2397-2410, 1986). The Office Action states that this reference teaches the chemical synthesis of human GIP. The Office Action also states that:

> Applicants argue that the Fujii et al article applied above does not teach analogs comprising a Tyr^1 glucitol residue. The examiner agrees. However, independent claim 1 does not require a Tyr^1 glucitol residue to be present - note the phrase "not including" at claim 1, line 3. Further, new claim 13, is unclear as to whether a Tyr^1 glucitol GIP residue must be present in the analogue.

(page 3 of the Office Action, section 4).

Applicants have amended the claims to clarify that the peptide analogue of GIP (1-42) (a) contains at least 15 amino acid residues from the N terminal end of GIP (1-42), and (b) has at least one amino acid substitution or modification at position 1-3 in addition to a Tyr^1 glucitol GIP (1-42). Put another way, the peptide analogue of GIP (1-42) (a) contains at least 15 amino acid residues from the N terminal end of GIP (1-42), (b) contains a Tyr^1 glucitol, and (c) has at least one additional amino acid substitution or modification at position 1-3 (in addition to the Tyr^1 glucitol).

Claims 1 and 13 have been amended to clarify that the claimed peptides contain a Tyr^1 glucitol, and also one additional substitution or modification. Claims 4 and 14 have been amended to clarify particular D-amino acid substitutions and N-terminal modifications.

The amended claims have not changed in scope, nor do the amendments introduce new matter. Applicants respectfully submit that they are clearly novel in light of Fujii *et al.*, and request that the rejection on this basis be reconsidered and withdrawn.

Applicants submit that all of the claims are now in condition for allowance, which action is requested. Please apply any charges or credits to Deposit Account No. 50-1721.

Respectfully submitted,

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